

Javier Fernández-Samaniego

Technology, Privacy & Cybersecurity Lawyer

October 2022

**Full name**

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Citizenship (& immigration status in the U.S.)

- Spanish
- French
- Approved by USCIS (*United States Citizen and Immigration Services*) as “alien of extraordinary ability” for the USA (visa type E11)

Admissions

- **Spain:** Admitted to practice Law in Spain (Madrid Bar Association, 1995, bar number 56.601)
- **USA:** Certified Foreign Legal Consultant by The Florida Bar (Bar number: 299306 / NCBE No: N10310343, admitted 1 April 2017)

Career to date

- **Jan 2017 – present - SAMANIEGO Law (Miami, U.S. – Madrid, Spain)**

Managing Director

SAMANIEGO Law is an Iberoamerican Alternative Law firm which focuses on technology and dispute resolution and counts with a trusted network of professionals and legal interim managers. Its clients are normally business technologists, providers, and builders of digital transformation solutions as well

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as customers who reinvent their business. Though acting globally, the firm has a clear focus on the Latin Atlantic region. Main practices are: Technology Law & Transformational Projects; Cybersecurity & Privacy & Data Protection; Dispute Resolution (Litigation, Arbitration, Mediation); Lobbying & Regulatory; Legal Interim, Contracts & Legal Projects Management. For more information, please check www.samaniegolaw.com available in four languages.

- **2005 – 2016 – Bird & Bird LLP (Madrid office, Spain)**

Managing Partner, Head of Commercial and IT Law and Dispute Resolution. Founder of Madrid office.

Bird & Bird is an international law firm with headquarters in London and with over 1300 lawyers and legal practitioners in 29 offices worldwide. Javier was the partner in charge of Dispute Resolution and Commercial and IT Law of its Madrid office.

- **2000 – 2005 – Linklaters LLP (Madrid office, Spain)**

Head of IT & Comms practice of the Madrid office of the firm

Linklaters LLP is a multinational law firm headquartered in London. Founded in 1838, it is a member of the Magic Circle of elite British law firms. It currently employs over 2,000 lawyers across 30 offices in 20 countries and specializes in corporate/M&A law, capital markets, banking and finance, restructuring and insolvency, antitrust and tax.

- **1996 – 2000 – Cuatrecasas (Madrid, Spain)**

Associate of litigation team and Head of Technology Law and Data Protection team, Spain

Cuatrecasas is a leading Spanish law firm with over 900 lawyers in 26 offices in cities in Europe, America, Asia and Africa and headquarters in Barcelona, Madrid and Lisbon. It advises on all areas of business law.

- **1995 – 1996 – CDTI (Centre for the Development of Industrial Technology) (Madrid, Spain)**

In-House Legal Counsel

CDTI is a Public Business Entity, reporting to the Ministry of Industry, Economy and Competitiveness aimed to foster technological development and innovation of Spanish companies. It is the entity that channels the funding and support applications for national and international R&D&i projects of Spanish companies and the Spanish representative of ESA (European Space Agency).

Languages

- Spanish (native)
- English (full professional proficiency)
- French (limited working proficiency)
- Italian (limited working proficiency)

Education and relevant training

Academic degrees

- Business Administration & European Law European Business Certificate, Università Politecnica delle Marche, Ancona, Italy, 1994.
- Law Degree: San Pablo CEU University Madrid (Spain), 1993

Relevant initiatives and affiliations

- Javier is member of the **Commission on the Digital Economy** at the International Chamber of Commerce (ICC)
- Javier is member of the **Working Group on Digital Economy** at MIAC – Madrid International Arbitration Center.
- Javier F. Samaniego is member of the **Working Group on Cybersecurity** in Arbitration at CPR – Center of Conflict Prevention and Resolution, NY, USA.
- Javier participated in the **ICCA-IBA (2019-2020) Task Force on Data Protection in International Arbitration Proceedings**.
- Javier participated in the working group for the GDPR Legitimate Interests Assessment Project at the Information Accountability Foundation – IAF
- Javier cooperates with the **Google Privacy Chair** at San Pablo University CEU (Spain)
- Javier form part of the Academic Council of the **FIDE Foundation**, a major think-tank in Spain, where he runs the blog 'Metamorphosis' on legal issues connected with innovation and disruptive technology. Javier also chairs the working group on implementation of GDPR in Spain and regularly speaks at FIDE seminars on Digital Economy legal issues such as Big Data, FinTech, Robotics, etc.

Relevant experience

Javier has over 27 years of experience in international commercial law and IT and Privacy law acquired in leading International Commercial law firms.

His international practice focuses on advising national and multinational companies on new business models based on disruptive technologies, and on the prevention and resolution of conflicts involving complex technological issues. Javier also advises international institutions (such as the World Bank) and sovereign states on data protection and cybersecurity.

Javier was one of the pioneer lawyers specializing on data protection in Spain when the Spanish Data Protection Agency (AEPD) was launched in the 1990-s. Besides, in 2021 Javier was one of the candidates to preside AEPD.

Relevant acknowledgement

- **Chambers & Partners. Europe Guide**: Javier Fernández-Samaniego is ranked as Band 1 in Data Protection and as Star Individual in TMT: IT (since 2020 and before that he was in Band 1 for TMT: IT for over a decade).
- **Leaders League**, Spain, 2022. Samaniego Law appears as Leading firm the categories "Data Protection & Cybersecurity" and "Technology".
- **Acritas Stars** legal directory: Javier F. Samaniego has been named “Acritas Star – independently rated lawyer” in its prestigious ranking for 2019.
- **International Law Office (ILO)**: Javier F. Samaniego is winner of Client Choice Awards of 2019 (IT and Internet Law), 2015, 2013, 2011 and 2010 editions.
- We form part of the **Select Counsel** network.

- **Global Data Review:** Samaniego Law is featured in 2022 and 2021 editions of GDR 100, a list that identifies the world's 100 best law firms specializing in Data. GDR belongs to Law Business Research, a leading provider of quality business information and legal insight.
- **Best Lawyers** legal directory names Javier F. Samaniego as the Best Lawyer in Spain for Outsourcing (2021), Privacy & Data Protection Law (2019, 2016 and 2014), Technology Law (2017) and Information Technology (2015). Besides the directory recognizes Javier F. Samaniego - in Arbitration and Mediation, International Arbitration, Litigation, Information Technology Law, Technology Law, Communications Law, Outsourcing, Intellectual Property Law, Privacy & Data Protection Law.
- **Who's Who Legal (WWL)** Javier F. Samaniego is ranked as "Global Leader 2022" for *Data - Data Security* and *Data - Information Technology*.
- Javier F. Samaniego won the **Iberian Lawyer** Lawyer of the Year: Information Technology award at 2022 IP&TMT Awards.

Javier Fernández-Samaniego offers unparalleled authority over information technology matters. His practice is further complemented by additional strength in dispute resolution, data protection and fintech matters.

"His 360 degrees approach to legal and regulatory matters allows him to provide work adapted to the clients' business needs and the political agenda," according to sources.

Chambers Europe, 2022, Spain. TMT: Information Technology - Star Individual and Data Protection - Tier 1.

Widely acknowledged as an "excellent practitioner," Javier Fernández-Samaniego offers unparalleled authority over information technology. His practice is further complemented by additional strength in dispute resolution, and he has experience in data protection, cybersecurity and fintech regulation matters.

Chambers Europe, 2021. TMT: Information Technology - Spain. Star Individual

Javier [...] commands a strong reputation for his expertise, with interviewees describing him as "a leading light in data protection," and one source stating: "His knowledge is outstanding." Samaniego is highly sought after by multinational technology and social media companies for mandates including sanctions proceedings relating to cybersecurity.

Chambers Europe, 2020. TMT: Information Technology - Spain. Star Individual



Relevant lectures

Javier lectures on IT & DP in universities and business schools such as:

- **Florida International University (FIU)**- coordination of Latin Atlantic Tech Law Collaborative

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- **IE Business School (Instituto de Empresa)**. Cybercompliance and Data Protection Program and Digital Business Transformation Program. Javier F. Samaniego – lecturer for more than a decade. More info [here](#) and [here](#).
- **University of Navarra (UNAV) / ULIMA program**. Session and case study on *New data protection framework in Europe, Current legal challenges of the EU Digital Single Market and tensions between the development of Big Data, Artificial Intelligence (A.I) and the new Data Protection Regulation (GDPR)*. Javier Fernández-Samaniego – lecturer since 2019.
- **Universidad Francisco Vitoria (UFV)**. Class *EU Law in the digital society*. 11-12 March 2021. Javier Fernández-Samaniego – lecturer. More info [here](#).
- **ICAM / Madrid Bar**. Master in Digital Law, Innovation and Emerging Technologies. Practical course. 23 Jan. 2021. Javier F. Samaniego - lecturer. More info [here](#).
- **ISDE University**. Master program Access to Legal Profession. Technologies applied in Law. Nov 2020. Javier F Samaniego – lecturer.
- **IADG**. Course "*Digital transformation in Spain: regulatory and business vision*". Presentation on *Innovation and regulation*. Javier Fernández-Samaniego - speaker. Madrid, November 24, 2018. More information [here](#).
- **Fordham University School of Law**. Fordham International Arbitration and Mediation Conference. Panel on *GDPR: International Arbitration meets Data Protection: Practical Guidance for Compliance*. 2 November 2018. New York. Javier Fernández-Samaniego - panel speaker. More info [here](#).
- **HIALSA** (Harvard International Arbitration Law Students Association). Round table *Future of Arbitration and Technology*. Boston, 29 March 2018. Javier Fernández-Samaniego – speaker. More info [here](#).
- **FIU (Florida International University)**. Steven J. Green School of International & Public Affairs Conference "The Internet and Civil Liberties". Panel *The dark side of the web: challenges to Security, Prosperity and Privacy*. Miami, 8 March 2016. Javier Fernández-Samaniego - panel speaker. More info [here](#).

Selection of recent publications

- Book "**The New Technologies Law 2021**". Chapter *The "EU Toolbox" and its impact on the measures to be adopted by Spain in mitigating cybersecurity risks in its 5G network*. Javier Fernández-Samaniego - co-author. Page 275. Editorial: Tirant Le Blanc, July 2021. More information [here](#).
- Book "**Commentary to the General Data Protection Regulation and the Organic Law on Protection of Personal Data and Guarantee of Digital Rights**" (two volumes). Chapter *International transfers*. Javier Fernández-Samaniego – co-author. Coordinator - Antonio Troncoso Reigada. Editorial: Civitas, February 2021. More information [here](#).
- **Expansión Jurídico**. Article *Cyber-vaccine for 5G*. 8 Feb. 2021. Javier F. Samaniego - author. More information [here](#).
- **Cinco Días**. Article *5G: ready, set, go!* 14 Dec 2020. Javier F. Samaniego - author. More information [here](#).
- **THĒMIS-Revista de Derecho** Special issue on Arbitration. Issue 77; Chapter *Cybersecurity and International Arbitration: The ICCA - CPR NY City Bar Protocol for Cybersecurity in Arbitration*. August 2020. Javier F. Samaniego – co-author. More information [here](#).

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- **Expansión.** Article *Invalidation of the 'Privacy Shield': A spy among friends and the 101 Dalmatians*. 21 August 2020. Javier Fernández-Samaniego - author. More information [here](#).
- **Expansión.** Article *The future of a digital Europe*. 16 June 2020. Author - Javier F. Samaniego. More information [here](#).
- **ICLG (Global Legal Group).** The International Comparative Legal Guide to: Cybersecurity 2020. *Chapter on Spain*. October 2019. Javier Fernández-Samaniego - co-author. More info [here](#).
- **ICLG (Global Legal Group).** The International Comparative Legal Guide to: Outsourcing 2019 and 2018. *Chapter on Spain*. Javier Fernández-Samaniego - co-author. More info [here](#).
- **Diario La Ley. Privacy Law.** Article *In the cherries' blossom: a chronicle of the 2019 International Privacy + Security Forum (IPSF) in Washington D.C.* 24 May 2019. Author – Javier F. Samaniego. See more information [here](#).
- **Transnational Dispute Management.** Article *The Draft ICCA-CPR-New York City Bar Association Protocol for Cybersecurity in Arbitration: A Leading Light, at Least*. Vol. 16, Issue, 3. May 2019. Javier F. Samaniego - co-author. More information [here](#).
- **Diario La Ley Wolters Kluwer.** Article *Collective actions within the framework of the RGPD: a perspective from Spanish Civil Law*. Fernández-Samaniego - co-author. February 11, 2019. No. 26, Cyberlaw Section. For more information click [here](#).
- **Book Data Protection Treaty.** Coordinator - Artemi Rallo. Chapter *The legitimate interest as a principle to legitimize data processing*. February 2019. Editorial Tirant lo Blanch. Javier Fernández-Samaniego - co-author. More information [here](#).
- **Book Digital Society and Law.** Chapter on *Drones & Privacy*. Javier Fernández-Samaniego - co-author. November 2018. More information [here](#).
- **Privacy Laws & Business International Report.** Article *Collective actions under GDPR: a continental Europe civil law perspective from Spain*. October 2018. Javier Fernández-Samaniego - co-author. See [PDF file](#).

Selection of recent relevant press coverage

- **Voz Populi.** Article *The government changed the cybersecurity law at the last minute to defend itself from Russia*. 29 April 2022. Author - Marcos Sierra. Javier F. Samaniego mentioned. More information [here](#).
- **Servimedia.** Article *The technology sector sees the future cybersecurity law as one of the pending issues for 5G in Spain*. 10 Sep 2021. Javier F. Samaniego mentioned. More information [here](#).
- **Cinco Días.** Article *Guide to surviving the legal challenges of 2021*. 28 Dec. 2020. Author - Pedro del Rosal. Javier F. Samaniego mentioned. More information [here](#).
- **Expansión Jurídico.** Article *Law firms ignore the potential of Big Data*. 11 Sep 2020. Author - Laura Saiz. Javier F. Samaniego mentioned. More information [here](#).
- **Iberian Lawyer.** Article *Top 10 best cybersecurity lawyers in Spain*. April 2020, nº 93, page 68. Javier F. Samaniego mentioned in the article. See more information [here](#).
- **Cinco Días.** Article *Could the Government use its new 'app' against the coronavirus to sanction citizens?* 31 March 2020. Javier F. Samaniego mentioned in the article. See more information [here](#).

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- **Diario La Ley.** Article *Technological measures of the government to combat COVID 19: app, chatbot and geolocation of those affected* 31 March 2020. Javier F. Samaniego mentioned in the article. See more information [here](#).
- **Conflegal.** Article *The right to be forgotten consolidates as one of the citizens' resources for the defense of their rights*. Author - Luis Javier Sánchez. Javier Fernández-Samaniego mentioned in the article. February 9, 2020. More information [here](#).
- **Diario La Ley.** Article *The California data protection law enters into force*. Author - Carlos B. Fernández. Javier Fernández-Samaniego mentioned in the article. January 7, 2020. More information [here](#).
- **Global Arbitration Review.** Article *ICCA and IBA join forces on data protection*. Author – Jack Ballantyne. 12 Feb 2019. Javier Fernández-Samaniego mentioned in the article. To read PDF please click [here](#) or subscribe [here](#) .
- **Cinco Dias.** Article *Guide to know all the legal novelties of 2019*. Author - Pedro del Rosal. Javier Fernández-Samaniego mentioned in the article. January 7, 2019. More information [here](#).

Selection of recent relevant conferences

Below is a selection of some of the recent presentations, panel moderations and similar contributions made by Javier F. Samaniego on IT & DP:

- **Privacy Law & Business.** 35 International Conference. Session *5G: Friend or foe to privacy?* Javier F. Samaniego - speaker. 4 July 2022, Cambridge. More information [here](#), watch video [here](#).
- **FIDE.** Session *Regulatory, geostrategic, and economic keys of RD-Law 7/2022 on 5G cybersecurity*. Javier F. Samaniego - chair. 22 June 2022. More information [here](#).
- **Leaders League.** Thought Leaders Roundtable *Data Protection and IT Law*. Javier F. Samaniego - co-speaker. 22 June 2022.
- **Aranda Mediation.** 2022 Aranda Mediation Conference (Singapore). Sessions *Legal tech and the ongoing transformation of Mediation Advocacy* (Javier F. Samaniego - speaker). 26 May 2022. More information [here](#).
- **ICC Guatemala and Chamber of Commerce of Guatemala.** Webinar *Data Protection: a business competitive advantage*. 26 May 2022. Javier F. Samaniego - co-speaker. More information [here](#).
- **FIDE.** Webinar *Future regulation of the 5G cybersecurity*. 21 April 2021. Javier Fernández-Samaniego – moderator. More info [here](#).
- **ENATIC.** Webinar *Challenges of Digitalization of Justice*. 9 March 2021. Javier Fernández-Samaniego – co-speaker. More info [here](#).
- **ICC.** 18th ICC Miami Conference on International Arbitration. Advanced online training *Data Protection and Cybersecurity in Virtual Proceedings*. 9-10 Nov 2020. Javier Fernández-Samaniego – co-speaker. More info [here](#).
- **CESCON / CNA / CEA Digital Law.** [Center of Conflict Resolution of Panama](#), [Commission on Mediation and Arbitration at the Panama Bar](#) and [Euro-American Committee of Digital Law](#). Online session *Digital evidence and Data Protection in Arbitration proceedings*. 1 October 2020. Javier Fernández-Samaniego – co-speaker. More info [here](#).
- **CESCON / CNA.** [Center of Conflict Resolution of Panama](#) and [Commission on Mediation and Arbitration at the Panama Bar](#). Online session *Cybersecurity and International Arbitration in the times of the pandemic*. 4 August 2020. Javier Fernández-Samaniego – co-speaker. More info [here](#).

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- **FIDE.** Online session *5G as a key piece for the digital transformation of Spain*. 2 July 2020. Javier Fernández-Samaniego – moderator. More info [here](#).
- **Leaders League.** Thought Leaders Virtual Roundtable *Technology in Spain*. 4 June 2020. Javier F. Samaniego - co-speaker. More info [here](#).
- **FIDE.** Online session “*Rapid-fire discussion*” with Eduardo Ruiz Montoya - Hewlett Packard Enterprise. 12 May 2020. Javier Fernández-Samaniego – moderator. More info [here](#).
- **Customer & Partner Day** (annual conference organized by Liberto Group, IMSolutions and Gemini). Trend Talk *GDPR & PSD2 – impact on Financial Services*. Javier F. Samaniego – speaker. Madrid, 13 June 2019. More info [here](#).
- **ICC 1st Iberian Arbitration Day 2019.** Session *Data protection, privacy, transparency and cybersecurity in international arbitration*. Lisbon, 20 May 2019. Javier F. Samaniego – panel speaker. More information [here](#).
- **2019 CPR European Conference.** Panel *Preparing for the Robo-Revolution*. London, 15 May 2019. Javier F. Samaniego – moderator. More information [here](#).
- **Privacy + Security Academy.** Second annual International Privacy + Security Forum. Session *Privacy in Latin America: Where is it headed*. 3-5 April 2019, Washington DC. Javier Fernández-Samaniego – moderator. More information [here](#).
- **ICC YAF and CEA-40.** Conference *Ten shots on confidentiality in commercial arbitration: interview with the institution, the lawyer and the client*. Madrid, 14 March 2019. Javier Fernández-Samaniego – panelist.
- **Datacentric.** Annual conference. Legal round table *Impact of the GDPR 300 days after its application*. Madrid, 14 Feb 2019. Javier Fernández-Samaniego – speaker. More info [here](#).
- **Latham & Watkins.** Seminar *Cybersecurity in International Arbitration*. London, 1 June 2018. Javier Fernández-Samaniego - speaker. More info [here](#).
- **FIDE Foundation.** Seminar *Data Protection after Brexit*. 12 April 2018. Javier Fernández-Samaniego - co-speaker. More info [here](#).
- **CPR.** Seminar *Cybersecurity in International Arbitration*. Paris, 10 April 2018. Javier Fernández-Samaniego – speaker. More info [here](#).
- **CMS.** 1st CMS Telco Finance Forum. Panel on *Open Data legal framework and Telecoms*. Madrid, 21 March 2018. Javier Fernández-Samaniego – moderator. More info [here](#).
- **Datacentric.** Annual conference. Panel on *Adapting to the new privacy regime*. Madrid, 14 Feb 2018. Javier Fernández-Samaniego – speaker. More info [here](#).
- **Privacy Laws & Business.** 30th International Conference. Panel on *Fintech online identification: Solutions and challenges*. Cambridge, 3-7 July 2017. Javier Fernández-Samaniego - panel speaker. More info [here](#).
- **Datacentric.** Annual conference. Panel on *The Big Data: challenges and opportunities*. Madrid, 14 Feb 2017. Javier Fernández-Samaniego – speaker. More info [here](#).
- **ITechLaw.** Annual European Conference. Round table on *Cybersecurity*. Madrid, 9-11 November 2016. Javier Fernández-Samaniego – moderator. More info [here](#).

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